

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Appeal to the Board of Patent Appeals and Interferences

PATENT  
APPLICATION

In re PATENT APPLICATION of

Inventor(s): Peter Brams

Appln. No.: 09

Series Code ↑

805,217

Serial No. ↑

Group Art Unit: 1642

Examiner.: R. Helms

Atty. Dkt. P 0279190

M#

Client Ref

Filed: March 14, 2001

Title: ANTIBODIES THAT BIND PHOSPHATIDYL SERINE  
AND A METHOD OF THEIR USE

Date: January 13, 2003

Hon. Commissioner of Patents  
Washington, D.C. 20231

Sir:

1. ☒ **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated September 19, 2002 of the Examiner twice/finally rejecting claim(s) in this application or in this application and its parent application.
2. ☐ **BRIEF** on appeal in this application attached in triplicate (extendable up to 5 months).
3. ☐ An **ORAL HEARING** is respectfully requested under Rule 194 (due two months after Examiner's Answer- unextendable)
4. ☐ Reply Brief is attached in triplicate (due two months after Examiner's Answer - unextendable).
5. ☐ "Small entity" statement filed: ☐ herewith. ☐ previously.
6. ☐ Fee **NOT** required because paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits (35 USC 134).

## 7. FEE CALCULATION

	Large/Small Entity		Fee Code
If box 1 above is X'd, .....enter	\$320/160	\$320	119/219
If box 2 above is X'd, .....enter	\$320/160	\$0	120/220
If box 3 above is X'd, .....enter	\$280/140	\$0	121/221
If box 4 above is X'd, .....enter nothing	- 0 - (no fee)		
<b>8. Original due date:</b> December 12, 2002			
9. Petition is hereby made to extend the original due date (1 mo) \$110/\$55 to cover the date this response is filed for which the (2 mos) \$410/\$205 requisite fee is attached. (3 mos) \$930/\$465 (4 mos) \$1,450/\$725 (Usable only if box 2 is X'd--- 5 mos) \$1,970/\$985			115/215
			116/216
			117/217
			118/218
			128/228
10. Enter any previous extension fee paid <input type="checkbox"/> previously since above Original due date (item 8 ); <input checked="" type="checkbox"/> with concurrently filed amendment .....	-\$110		
11. Subtract line 10 from line 9 and enter: Total Extension Fee		+\$0	
12. TOTAL FEE =		\$320	

(Our Deposit Account No. 03-3975)

(Our Order No. 037003 0279190

C#

M#

PLEASE CHARGE  
OUR DEP. ACCT.

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

01/15/2003 CV0111 00000083 033975 09805217

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Intellectual Property Group

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments